

COVER SHEET
PUBLIC MEETING AGENDA

NEBRASKA LIQUOR CONTROL COMMISSION

November 1, 2016

REVIEW OF MINUTES FROM PREVIOUS MEETING- **APPROVED**

EXPENDITURES OVER \$100-**APPROVED**
FOR MONTH OF OCTOBER, 2016

PUBLIC PRESENTATIONS/INDUSTRY FORUM: November 1, 2016 @ 9:00 a.m.

1. Michael L Murman (Glacial Till Vineyard & Winery)
RE: Page 7, item #2

AGENDA ITEMS: November 1, 2016 @ 9:00 a.m. **RATIFIED PAGES 1-5**

FORMAL HEARINGS: November 1, 2016, starting at 10:00 a.m.
(See Yellow Agenda/Docket)

ANY AGENDA ITEMS NOT COMPLETED PRIOR TO BEGINNING DOCKET HEARINGS

ALL MATTERS RELATING TO THE MANUFACTURE, DISTRIBUTION, SALE AND
TRAFFIC IN ALCOHOLIC LIQUORS THAT ARE TO BE REVIEWED ARE LISTED ON
THE ATTACHED PAGES OF THE AGENDA.

CERTIFICATION

I, Hobert B Rupe, Executive Director of the Nebraska Liquor Control Commission, do hereby
certify that this is the public meeting agenda of the Nebraska Liquor Control Commission.

Dated

Hobert B. Rupe, Executive Director

This agenda is subject to daily change to reflect matters before the Commission. Any changes to
this agenda will be posted at the Commission offices on the 5th floor of the Nebraska State
Office Building, located at 301 Centennial Mall, South, Lincoln, Nebraska.

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: NOVEMBER 1, 2016

TYPE OF BUSINESS: LICENSING MATTERS PAGE ONE RATIFIED

RATIFICATIONS FROM OCTOBER 1 - 21, 2016

RETAIL LICENSES ISSUED WITH LOCAL APPROVAL

Bancroft	Novak, Megan & Smith, Nicole dba Lucky's Bar	119794-C
Belvidere	Stradley, Ryan J dba Toad's	118819-C
Crete	Brew House LLC, The dba Brew House, The	118102-C
Grand Island	Simbert LLC dba Peacock Lounge	119816-C
Hebron	Boscobrothers LLC dba Brand X Saloon	115395-C
La Vista	Costco Wholesale Corp. dba Costco Wholesale 1237	119793-D
Lincoln	Zipline Brewing Co LLC dba Zipline	118874-AB
Lindsay	Big Red Pub LLC dba Big Red Pub	119792-CK
Nebr. City	Pioneer Holdings LLC dba Sandy's Sports Bar & Volleyball	118851-C
Nehawka	Nehawka Bar & Grill LLC dba Nehawka Bar & Grill	119787-C
Norfolk	Smokin Stan's BBQ LLC dba Smokin Stan's BBQ	119771-AK
Omaha	1204 Tiki LLC dba Laka-Lona	118121-C
	BDS 12015 Inc dba Phoenix 370	119763-C
	Beacon Hills Omaha LLC dba Beacon Hills	118878-CK
	Celebration of Life Enterprise dba Pan Asian Terrace	117358-C
	Draught House LLC dba Original Draught House, The	118810-C
	Modern Eatery Concepts LLC dba Jackson Street Tavern	118855-C
	Pan Fried Omaha LLC dba Stroud's	119768-I
	Rifs Inc dba Jack's Discount Tobacco & Liquor	118875-D
	Turner Park Center LLC dba Herbe Sainte	119784-C
Papillion	Maden-Diril, Julie A & Isbilir, John T dba Karen's Fireside	118846-I
Plainview	Holton Post Café LLC dba Post Café, The	118816-I
Wisner	Marx, Jeanette M & Timothy E dba Catering to Suit	118106-CK

RETAIL LICENSE ISSUED WITH NO LOCAL RECOMMENDATION

Fremont	Gini LLC dba Shell	118854-D
---------	--------------------	----------

CATERING ENDORSEMENT ISSUED WITH LOCAL APPROVAL

Grand Island	YZGYZ LLC dba Filling Station, The	113025-CK
Scottsbluff	Relka, Tammy A & David A dba Flight Deck, The	112100-IK
West Point	Eagles Order 3623 dba Eagles	002454-CK

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: NOVEMBER 1, 2016

TYPE OF BUSINESS: LICENSING MATTERS

PAGE TWO RATIFIED

WHOLESALE LIQUOR LICENSE ISSUED

Norfolk	Heartland Beverage LLC dba Heartland Beverage	118811-X
	Heartland Beverage LLC dba Heartland Beverage	118812-W

SHIPPER LICENSES ISSUED

California Cider Company dba California Cider Co	Sebastopol, CA	120703-T
Sierra Nevada Brewing Co dba Sierra Nevada Brewing	Chico, CA	120699-T
Webster Barnes LLC dba Webster Barnes	Boynton Beach, FL	120695-S

MANAGER APPLICANTS APPROVED WITH LOCAL APPROVAL

Cook, Patsy S	Turbine Mart	Springview	084987-D
Dalby, Randy	Syracuse Country Club	Syracuse	005540-C
Hoff, Justin D	Fill-N-Chill	Minden	033868-D
Jorgensen, David R	Staybridge Suites Omaha	Omaha	106350-C
Langenberg, Ashley	Dino's Eastside Grille	Lincoln	075601-C
Neilan, Kenna S	Country Café	Spencer	114746-CK
O'Bryan, Lonnie	Eagles Frat Order 2998	Terrytown	084658-I
Ray, Bradley G	Northridge Country Club	Tekamah	103286-I
Scott, Russell D	Noodles & Company 7101	Omaha	075060-I
	Noodles & Company 7102	Lincoln	075062-I
	Noodles & Company 7103	Lincoln	075061-I
	Noodles & Company 7104	Omaha	075672-I
	Noodles & Company 7105	Lincoln	102386-I
	Noodles & Company 7106	Omaha	108508-I
Sempeck, Steven	Alley V	Omaha	101624-CK
Steinmeyer, Heidi	Maatsch Oil Food Shop	Fairbury	014088-B
Sulzle, Mark G	Pizza Hut of Crete	Crete	075472-I
	Pizza Hut of Fremont	Fremont	006165-A
Vacek, Donald J	Blair Super Foods	Blair	080522-C

SPECIAL DESIGNATED LICENSES ISSUED WITH EXEMPTIONS

Albion	Albion Thrifty-Way Inc / Thriftyway Liquor	11/4	53-124(6AIV)
Allen	Nehi Inc / Allen Fire Hall	11/5	53-175
Beatrice	Main Street Beatrice Inc / Valentino's Pizza	11/4-5	53-175
Bellevue	Gross Catholic High School	10/22	53-177(1)
			53-175
Bruning	Volunteer Fire & Rescue / Opera House	10/29	53-175

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: NOVEMBER 1, 2016

TYPE OF BUSINESS: LICENSING MATTERS PAGE THREE RATIFIED

Burchard	Harold Lloyd Foundation / Best Inn	10/29	53-175
Chadron	Knights of Columbus / Assumption Arena	10/22	53-177(1) 53-175
Columbus	Scotus Central Catholic High School	11/26	53-175
Crete	Meier's Wine Inc / Crete Area Medical Center	10/20	53-177(1)
Crofton	American Legion / St Rose of Lima	11/12	53-177(1)
Davenport	Achievement Board / Comm. Bldg.	10/29	53-175
Fremont	Desauce Developments Inc / Bergan Gym	11/18	53-177(1)
	Rise's Drive In Liquor Inc / Love Larson	11/26	53-124(6AIV)
Garland	Junto LLC / Fire Hall	11/4	53-124(6AV)
Gothenburg	OK Bottle Inc / NSG Conference Center	11/3	53-124(6AIV) 53-175
Hallam	American Legion / Auditorium	11/20	53-175
Hastings	Midtowne Mart LLC / City Auditorium	11/1	53-124(5) C
	Midtowne Mart LLC / Fairgrounds	12/10	53-124(5) C
	Murphy's Wagon Wheel Inc / C3 Hotel	10/29	53-175
Hartington	Cedar Catholic School / Werner Center	11/5	53-177(1) 53-175
Hemingford	Village of Hemingford / Fire Hall	11/5	53-175
Holdrege	Holdrege Animal Shelter / City Auditorium	11/10	53-175
Imperial	Broken Arrow Cellars	10/22	53-123.11 53-175
Kimball	17 Ranch Winery Ltd / Event Center	11/5	53-123.11 53-175 53-124(6AIV)
Lawrence	Sacred Heart Church	11/6	53-177(1) 53-175
Lincoln	Dave's Drive In Inc / Ridnour Room	11/4	53-124(6AIV) 53-175
	Meier's Wine Inc / Lied Center	11/1	53-177.01
	Meier's Wine Inc / NET	10/28	53-177(3)
	Zipline Brewing Co / Ferguson House	10/27	53-175
Minden	Bunger, David W / Windmill Studios	10/29	53-168/169 53-175
Neligh	American Legion Antelope 172	11/5	53-123.03 53-168/169 53-175 53-168.06(2)
Norfolk	Calm Nights LLC / Eagle Distributing Bldg	10/22	53-175
North Platte	Miss Rodeo NE Assoc. / Harbor Lights	11/11	53-175

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: NOVEMBER 1, 2016

TYPE OF BUSINESS: LICENSING MATTERS PAGE FOUR RATIFIED

Omaha	Church of St Peter		53-177(1) 53-175
	Crone, Jody J / Dillon Bros	10/20	53-168/169 53-123.03
	Immanuel Lutheran Church	10/30	53-177(1) 53-175
	Knights of Columbus / St Robert Church	10/29	53-177(1) 53-175
	Memories Kids Regency Lake / Tennis Club	10/21	53-175
	NE Napalese Society / Divine Shepherd	10/22	53-177(1) 53-175
	Repasa LLC / NP Dodge Park	10/29	53-124(6AIV)
	St Mary's Church / School	11/6	53-177(1) 53-175
	St Pauls Lutheran Church	10/15	53-177(1)
	Upstream Brewing West / Concordia High	10/29	53-175 53-177(1)
O'Neill	Baker, Suzanne L / Irish Spirits	10/27	6-019.01S1 53-124(6AIV)
	Chamber of Commerce / Blush Boutique	12/2	53-175 6-019.01S1
	Chamber of Commerce / Lindys Shear	12/2	53-175 6-019.01S1
	Chamber of Commerce / McIntosh Jewelry	12/2	53-175
	Peterson, Janene A / Ashley's Attic	11/18	6-019.01S1 53-124(6AIV)
Ralston	Chamber of Commerce / Hillcrest Landing	10/27	53-177(1) 53-175
Ravenna	Flashbacks Neighbrhd Grill / Seneca Sunrise	10/16	53-177(1)
Red Cloud	Volunteer Fire Department / Comm. Center	11/5	53-175
St Edward	Werts GW Inc / Werts GW	11/11	53-124(6AIV)
St Paul	American Legion / St Paul Civic Center	10/20-22	53-175
Scribner	Dodge County Ag Society / Mohr Auditorium	10/29	53-175
Seward	Hain-Wierner LLC / Olde Glory Theatre	11/4	53-175 53-177(1) 53-177.01
	Seward Grocery / Fairgrounds	11/5	53-124(6AIV)
Stuart	DJJC LLC / Municipal Auditorium	10/29	53-124(6AIV)
Unadilla	Energy Rescue Inc / Chisholm Farm	10/22-23	53-175 6-019.01S1 2-013.03F

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: NOVEMBER 1, 2016

TYPE OF BUSINESS: LICENSING MATTERS PAGE FIVE RATIFIED

Waterloo	Smoke Ring Inc / Sokol Camp	10/20	53-175
Wausa	Volunteer Fire Department / Rural Fire Hall	11/12	53-175
Wayne	Jug Store LLC / Wayne State College	10/29	53-177(1) 53-177.01
West Point	Brester, David F / Nielsen Center	11/12	53-177.01
	Rush, Gary L / West Point Community Thtr	11/4-6 11/11-12	53-124(6AIV) 53-175
	Wortman, Pamila A / Nielsen Comm. Center	10/22	53-177(1)
York	Chances R Inc / York City Auditorium	7/15/17	53-177(1)
	Seward Grocery LLC / Auditorium	11/19	53-124(6AIV) 53-177(1)
Yutan	Volunteer Fire Department / Fire Dept	10/29	53-175

SDL EXEMPTIONS

2-013.03A	WAIVE WRISTBANDS ON MINORS – (NON-PROFIT ORGANIZATION)
2-013.03B	WAIVE VOLUNTEERS HAVING NO OTHER DUTIES – (NON-PROFIT ORG)
2-013.03D	ALLOW WORKERS TO CONSUME ALCOHOL AT EVENT
2-013.03F	WAIVE DOUBLE FENCING – (NON-PROFIT ORGANIZATION)
6-019-01S1	WAIVER TWO RESTROOM REQUIREMENTS FOR ON SALE LICENSE
6-019-01H	ALLOW REMOVAL OF UNOPENED ALCOHOL FROM PREMISES
53-123.03	EXEMPTION FROM BEER TERRITORY LAW
53-123.11	ALLOW FARM WINERY TO SELL PRODUCTS OTHER THAN THEIR WINE
53-123.14	ALLOW CRAFT BREWERY TO SELL PRODUCTS OTHER THAN THEIR BEER
53-123.16	WAIVE REQUIREMENT ONLY PRODUCT PRODUCED ON PREMISE CAN BE CONSUMED ON PREMISE
53-124(5) (c)	ON PREMISE CONSUMPTION ONLY – RESTRICTED CLASS C
53-124(6)(A)(IV)	ALLOW ON-SALE PACKAGE LIQUOR – (USED BY CLASS D OR DK LICENSEES WISHING TO BE ALLOWED “ON-SALE” CONSUMPTION ON THEIR “OFF-SALE”
53-124(6)(A)(V)	ALLOW OFF-SALE PACKAGE LIQUOR – (USED BY CLASS I or IK LICENSEES WISHING TO BE ALLOWED “OFF-SALE” CONSUMPTION OF THEIR “ON SALE”
53-134.01	ALLOW BEER GROWLERS
53-168/169	ALLOW RETURN OF ALL UNSOLD PRODUCTS
53-175	ALLOW ACQUISITION FROM OTHER THAN A WHOLESALER
53-177(1)	WITHIN 150’ OF SCHOOL, CHURCH ETC
53-177.01 (53-177(3))	WITHIN 300’ OF CAMPUS
53-179(1)	ALLOW 2AM+ CONSUMPTION
53-179(2)	ALLOW SUNDAY SALES – (WAIVES LOCAL ORDINANCE HOURS OF SALE)
53-183	ALLOW SALE ON CREDIT

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: NOVEMBER 1, 2016

TYPE OF BUSINESS:

LICENSING MATTERS

PAGE SIX

1. SDL
 Meyer Vineyards Inc
 Dbas Superior Estates Winery
 200 W 15 Street
 Superior NE 64960
- Licensee is requesting a waiver of Rule 2-013.06 “any location that has received twelve (12) Special Designated Licenses in one calendar year shall have any further applications set for hearing to make a determination whether additional licenses are justified...”
Requesting an additional three SDL licenses.

Do you wish to grant waiver?

YES

2. SDL
 Junto LLC
 Dbas Junto Winery
 1356 – 182 Road
 Seward NE 68434
- Licensee is requesting a waiver of Rule 2-013.06 “any location that has received twelve (12) Special Designated Licenses in one calendar year shall have any further applications set for hearing to make a determination whether additional licenses are justified...”
Already been issued 12, requesting one more.

Do you wish to grant waiver?

YES

3. Class D – 100026
 JBN Inc
 Dbas Hi Times Liquor Mart 2
 109 Cattleman Drive
 Suite 5
 Lexington NE 68850
- Licensee was granted administrative approval to transfer alcohol to Smoker’s Outlets Inc dba Smoker’s Outlet 1 located at 1111 W “B” Street, McCook, liquor license Class DK – 101003. Transfer due to business closing.

Do you wish to ratify administrative approval?

YES

**LIQUOR CONTROL COMMISSION
PUBLIC MEETING AGENDA**

DATE: NOVEMBER 1, 2016

TYPE OF BUSINESS: LICENSING MATTERS

PAGE SEVEN

1. Class C – 119838
 DBSH Properties LLC
 Dba Plymouth Brew House
 Grill
 303 E Main Street
 Plymouth NE 68424

Applicant Stephanie L Harms lists the following:
 10/12 DUI 17 points
 other traffic violations

Applicant Dane Beckworth lists the following:
 01/01 DUI 6 points
 other traffic violations

Failed to disclose traffic convictions. See attached.

Do you wish to set for hearing?
 NO

2. SDL
 Glacial Till Vineyard/Winery
 Dba Glacial Till Vineyard
 344 County Road 2
 Palmyra NE 68418

Licensee is requesting a waiver of Rule 2-013.06 “any location that has received twelve (12) Special Designated Licenses in one calendar year shall have any further applications set for hearing to make a determination whether additional licenses are justified...”

Requesting an additional SDL licenses.

Do you wish to grant waiver?
 YES

NEBRASKA LIQUOR CONTROL COMMISSION-PUBLIC MEETING AGENDA

DATE: November 1, 2016

TYPE OF BUSINESS: LEGAL MATTERS PAGE A

1. Class D-016233

Doris Howard & Jamie Scholtz
"Starting Gate"
1807-09 West A Street
North Platte NE 69101

Licensee has plead guilty to selling
alcohol to a minor during a
compliance check on 9/25/16.
(CI's 19, ID's Checked)

Lic since 10/88
Minor - 4/92
Minor - 6/97
Fail/Use ID Bk - 6/97
Minor - 5/06
Minor - 1/08
Minor - 9/08
Minor - 10/15

**2 DAYS MANDATORY SUSPENSION + 50 DAYS
SUSPENSION + TRAINING**

(Penalty Guideline indicates 2 days mandatory + 50 days suspension)

2. Class B-057725

R & C Petroleum Inc.
"Time Saver #18"
604 8th Street
Gothenburg NE 69138

Licensee has plead guilty to selling
alcohol to a minor during a
compliance check on 6/10/2016.
(CI's 18 & 19, ID's checked)

Lic since 11/02
Minor - 01/03

5 DAYS SUSPENSION + TRAINING

(Penalty Guideline indicates 10- 20 days suspension or HALF)

NEBRASKA LIQUOR CONTROL COMMISSION-PUBLIC MEETING AGENDA

DATE: November 1, 2016

TYPE OF BUSINESS: LEGAL MATTERS

PAGE B

1. Class C-109887

Table 25 Inc.
“Hunan Moon”
1318 S Chestnut Street
North Platte NE 69101

Licensee has plead guilty to
purchasing from a non-wholesaler
on 2/29/2016.

5 DAYS SUSPENSION

Lic since 10/14
Minor - 02/16

(Penalty Guideline indicates 5-10 days suspension)

2. Discussion and finalization of Legislative Letter
See attached

3. Review/Discussion on Proposed Rule Changes
See attached

4. Do you wish to have the licensees file long form applications in lieu of automatic renewals? (Neb. Rev. Stat. §53-135)
Request is being made due to statements and information that the area may lack adequate law enforcement.

1. License # B-062357-Jason Schwarting dba “Arrowhead Inn”
2. License # B-081631- Sanford Holdings LLC dba “D & S Pioneer Service”
3. License #B-009454- Stuart Kozal dba “Jumping Eagle Inn”
4. License #B-053988- Clay & Daniel Brehmer dba “State Line Liquor”

YES LONG FORM APPLICATIONS SHOULD BE FILED WITH THE COMMISSION WITHIN 30 DAYS OF DATE THE ORDER

